PEMRA Rules 2009

Pakistan Electronic Media Regulatory Authority Rules, 2009

GOVERNMENT OF PAKISTAN

MINISTRY OF INFORMATION AND BROADCASTING

NOTIFICATION

Islamabad, the 12th December, 2009

S.R.O.-1120(I)/2009.- In exercise of the powers conferred by sub-section (1) of section 39 of the Pakistan Electronic Media Regulatory Authority Ordinance, 2002 (XIII of 2002), the Pakistan Electronic Media Regulatory Authority, with the approval of the Federal Government, is pleased to make the following rules, namely:-

1. Short title and commencement.- (1) These rules shall be called the Pakistan Electronic Media Regulatory Authority Rules, 2009.
(2) They shall come into force at once.

2. Definitions.- (1) In these rules, unless there is anything repugnant in the subject or context,-

(a)"application form" means the application form as may be prescribed by the Authority for grant of a licence;

(b)"applicable licence fee" means the licence fee prescribed by the Authority or where applicable, determined through bidding by Authority;

(c) "authorized officer" means the Chairman or a member, or any member of staff, expert, consultant, adviser, other officer or employee of the Authority to whom the Authority has by general or special order delegated its powers, responsibilities or functions under the Ordinance for carrying out the purposes of the Ordinance, rules or regulations made thereunder;

(d) "cable television operator" means any person who owns, controls, manages or runs any cable television system and includes local loop holder;

(e) "cable TV system" means any system consisting of closed transmission paths and associated signal generation, control and distribution equipment, designed to receive and re transmit television channels or programs for reception by multiple subscribers;

(f) "code" means the code of conduct for media broadcasters and cable TV operators specified in Schedule-A;

(g) "Council" means the Council of Complaints established under the Ordinance;

(h) "eligible channel" means a TV channel licensed by the Authority or otherwise declared to be eligible for reception and distribution in the country;
(i) "encrypted" means treated electronically or otherwise for the purpose of preventing intelligible reception by unauthorized persons;
(j) "foreign broadcasting service" means a broadcasting service which is uplinked from outside Pakistan and received in Pakistan;
(k) "free to air broadcasting service" means a non-encrypted broadcasting service made available to the public without any subscription fee;

(1) "head-end" means a set of equipment for receiving and retransmitting the terrestrial and satellite TV channels for re-transmission or distribution at a specific location;

(m) "in-house distribution channel" means array and distribution of pre-recorded programmes by a distribution service operator over its network;

(n)"IPTV" means internet protocol television and delivery of television programmes using internet protocol technology on broadband telecom access network;

(o) "loop holder" means a person who obtains signals from distribution service operator and further distributes the same to multiple subscribers without inserting any further programmes or advertisements;

(p) "management control" in relation to a person means the power to exercise a controlling influence over the management or the policies of the company or undertaking and, in relation to shares, means the power to exercise a controlling influence over the voting power attached to such shares;

(q) "mobile TV" means wireless distribution of TV signals to a mobile portable device using any supporting technology;

(r) "Ordinance" means the Pakistan Electronic Media Regulatory Authority Ordinance, 2002 (XIII of 2002);
(s) "proprietary radio set" means a radio signal receiving apparatus, sold or provided by the owner of a radio channel, designed to exclusively receive his transmissions;

(t) "Schedule" means the Schedule to these rules;

(u) "service point" means a system outlet on the system which may be used for monitoring the system parameters;

(v) "set-top box" means a device for receiving and decoding encrypted television signal;

(w) "subscriber" means a person who subscribes to a service provided by a licensee without further transmitting it to any person;

(x) "subscription fee" means fee prescribed for receiving a broadcast or distribution service by a subscriber;

(y) "TV de-scramblers or decoders" means the equipment used to receive the television de-scrambler or decoder service; and

(z) "TV de-scrambler or decoder service" means the reception of programmes through satellite or other means of telecommunication, by using TV de-scramblers or decoders, and transmitting to the subscribers.

(2) The expressions used but not defined herein shall have the same meaning as are assigned to them under the Ordinance.

3. Meetings of the Authority, etc.- (1) The Authority shall hold not less than four meetings in a calendar year and may meet as often as it deems fit in order to dispose of its functions as provided for in the Ordinance.

(2) The agenda and notice of the time, date and place of the meeting shall be circulated among the members at least one-week prior to the date of the meeting:

Provided that for disposal of urgent matter requiring immediate decision, the agenda and notice may be circulated among all the members through phone, fax or email.

(3) The Authority may seek opinion of any officer or expert on a specific item of the agenda.

(4) The Chairman shall convene a meeting of the Authority either at his own accord or, as the case may be, on request of more than one half of the total membership.

4. Categories of licences.- (1) The Authority shall, as it may deem fit, issue licences for broadcast media and distribution service in the categories or sub-categories as provided for in section 18 of the Ordinance.

(2) The Authority may also grant permission to a distribution service licensee for running of in-house distribution channel subject to such terms and conditions and payment of fee and other charges as the Authority may prescribe:

Provided that only Pakistani content shall be distributed on such channel.

(3) International scale broadcast shall also include satellite television.

5. Duration and renewal of licences.- (1) The licence shall be granted for a period of five, ten or fifteen years subject to payment of fee as set out in Schedule-B.

(2) The licence shall be valid for the term for which it is granted subject to the payment of annual fee or any other charges as set out in the Schedule-B.

(3) The fee relating to the grant of a licence, renewal thereof, late payment surcharge and fine, if any, shall be deposited in the account of the Authority.

6. Application for grant of licence to operate broadcast media or distribution service.-

(1) Any person desirous of obtaining a licence in any category or sub-category of broadcast media or distribution service, shall apply to the Authority on the application form.

(2) Every application form shall be accompanied by a non-refundable application processing fee as set out in the Schedule-B for respective categories or sub-categories, and such documents as the Authority may specify. The Authority may however require an applicant to file such additional documents as it may deem fit.

(3) The Authority may, where applicable, forward the application to the Frequency Allocation Board (FAB) through Pakistan Telecommunication Authority for frequency allocation.

(4) The application may be processed simultaneously, however, the licence shall not be granted until the approval of frequency allocation is received from FAB.

7. **Criteria for evaluating licence application.-** Applications for the grant of a licence shall, in the first instance, be short listed by adopting the following criteria, namely:-

(a) financial viability;

(b) technical feasibility;

(c) financial strength;

(d) credibility and track record;

(e) majority shareholding and management control shall vest in Pakistani nationals ;

(f) prospects of technical progress and introduction of new technology;

(g) market advancement, such as improved service features or market concepts;

(h) contribution to universal service objectives; and

(i) contribution to other social and economic development objectives.

8. **Fees and security deposits.-** (1) Each successful applicant shall, within time prescribed by the Authority and before the issue of the licence, deposit the applicable licence fee and make a security deposit, if applicable, as set out in the Schedule-B. The security deposit shall

be refundable after the expiry of one year of operation of the station to the satisfaction of the Authority.

(2) Every licensee shall follow the specified time line relating to the payment of any dues of the Authority.

9. Grant of licence.- (1) The Authority shall, if it is satisfied that the applicant fulfils the criteria as provided for in the Ordinance, these rules and regulations made thereunder and has paid the prescribed fee and other charges, if any, grant licence to the applicant.

(2) Every licensee shall follow the general terms and conditions as set out in Schedule-C.

(3) The Authority shall, except where the application for grant of licence relates to Islamabad Capital Territory, invite the comments of the Provincial Governments concerned, as provided for in section 21 of the Ordinance.

(4) The Authority, if satisfied that the grant of the licence to a particular person is not in the public interest, may, for reasons to be recorded in writing and after giving the applicant an opportunity of being heard, refuse to grant a licence.

(5) The Authority shall, within one hundred days from the date of its receipt, take decision on the application for grant of a licence subject to clearance from the Ministry of Interior and frequency allocation by FAB in relevant cases.

(6) The Authority shall prescribe procedures for an open and transparent bidding in such cases where number of the applicants is likely to exceed the number of licences which the Authority has fixed for that category or sub-category.

10. Subscription fee.- (1) A licensee shall charge from its subscribers such subscription fee which shall not exceed maximum limit as set out in the Schedule-B.

(2)The Authority may, on a formal written request from a licensee or on its own initiative after recording reasons, revise the subscription fee rates as set out in the Schedule-B.

(3) The licensee shall, not later than thirty days prior to the enforcement of the revised rates, notify to its subscribers any change in the subscription fee as approved by the Authority.

11. Decoder fee.- A licensee may charge such fixed fee not exceeding the limit prescribed by the Authority from time to time for decoders and set-top boxes provided to the subscribers.

12. Renewal of licence on expiry of the licence term.- (1) A licensee may, at least six months prior to the expiry of the licence, apply to the Authority for renewal of its licence and the Authority may renew the licence subject to-

(a) satisfactory past performance of the licensee;

(b) the opinion of the concerned Council if the Authority so requires;
(c) payment of the prescribed fee prevalent at the time of renewal and payment of outstanding dues, if any; and
(d) fulfillment of any other terms and conditions as prescribed, or varied in the public interest, by the Authority from time to time.

(2) In case of refusal to renew a licence the Authority shall record reasons in writing.

(3) The Authority may renew a licence for such term as the original term of the licence beginning from the date of expiry of the licence.

13. Media ownership concentration and exclusion of monopolies.- (1) To ensure that fair competition is facilitated, media diversity and plurality are promoted in the society and undue concentration of media ownership is not created. Maximum number of licences that may be issued to a person or any of its directors or partners where such person is a company or firm, who is directly or indirectly, controlling, owning or operating more than one media enterprise, shall not exceed a total of four satellite TV, four FM Radio licences and two landing rights permissions.

(2) A licensee having direct or indirect interest in any other media enterprise shall ensure -
(a) appointment of separate editorial boards and monitoring facilities for each medium under its control;
(b) establishment of separate management structures for each medium under its control; and
(c) maintenance of separate accounting record for each medium under its control.

(3) A licensee who owns, controls or operates directly or indirectly any other distribution service licence shall not be granted a landing rights permission or broadcast media licence.

(4) A licensee who owns, controls or operates directly or indirectly broadcast media licence or landing rights permission shall not be granted a distribution service licence.

14. Proscription of a foreign broadcasting service.- No foreign channel shall be distributed unless landing rights permission for such channel has been obtained from the Authority:

Provided that a distribution service operator shall relay only TV channels licensed by the Authority.

15. Programms and advertisement content.- (1) The contents of the programmes and advertisements which are broadcast or distributed by the broadcast media or distribution ervice operator, shall conform to the provisions of section 20 of the Ordinance, these rules, the code set out in the Schedule-A and terms and conditions of the licence.

(2) The programmes shall also conform to the provisions of the Motion Pictures Ordinance, 1979 (XLIII of 1979), the rules and code of conduct made thereunder, whereas the advertisements shall also conform to the TV Code of Advertising Standards and Practices in Pakistan and Advertisement Code issued by the Authority.

(3) During a regular programme a continuous break for advertising shall not exceed three minutes and duration between two such successive breaks shall not be less than fifteen minutes.

(4) The licensee shall maintain a record and register of the programmes being broadcast or distributed by him and shall, for a period of not less than forty-five days, preserve such programmes.

16. Mergers and transfers.- (1) Without prior approval of the Authority, a licensee shall not transfer, merge or amalgamate with any other person any rights conferred under the licence.

(2) Without prior approval of the Authority, any person shall not transfer or dispose of his shares or interest which he is holding or owning in a company which is a licensee:

Provided that in the case of a listed company, the shares, representing not more than two per cent of the issued and paid up share capital, may be transferred without such approval.

17. Maintenance of accounts.- The licensee shall maintain proper accounts, as required by the applicable laws, and shall cause to be carried out the audit of his accounts by one or more auditors who are chartered accountants within the meaning of the Chartered Accountants Ordinance, 1961 (X of 1961) and shall submit the audited financial statement to the Authority not later than three months of the closing date of its financial year.

18. Councils of complaints.- Each Regional General Manager of Authority shall act as Secretary to the respective Council and may issue notices or summons on behalf of the Council established under section 26 of the Ordinance.

19. Area of operation.- A licensee to whom a licence has been issued for a particular area shall not extend or shift its operations beyond the territorial limits of that area without prior permission of the Authority and up-gradation of its existing licence or issuance of a new licence shall also be subject to permission in writing by the Authority:

Provided that an FM radio licensee shall not be allowed to shift its station from the city for which it has been licensed.

20. Repeal and savings.- (1) The Pakistan Electronic Media Regulatory Authority Rules, 2002, hereinafter referred to as the said rules, are hereby repealed.

(2) Notwithstanding anything contained in sub-rule (1)-

(a) any licence, permission or lease granted or renewed under the said rules which are not inconsistent with provisions of the Ordinance, these rules and regulations made thereunder shall be deemed to have been so granted or renewed under these rules;

(b) any fee, security deposit, fine and surcharge etc. chargeable under these rules shall apply to such licence, permission or lease granted or renewed under the said rules;

(c) any application made for the grant of a licence and pending consideration under the said rules, shall be deemed to have been so made and pending consideration under these rules; and

(d) the repeal shall not-

(i). revive anything not in force or existing at the time at which the repeal takes effect; or

(ii). affect the previous operation of the said rules or anything duly done or suffered thereunder except as aforesaid; or

(iii). affect any right, privilege, obligation or liability acquired, accrued or incurred under the said rules; or

(iv). affect any penalty, forfeiture or punishment incurred in respect of any offence committed against the said rules; or

(v). affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid.

Schedule-A

[see rules 2(l)(f) and 15(1)]

CODE OF CONDUCT FOR MEDIA BROADCASTERS or CABLE TV OPERATORS

Programmes:-

(1) No programme shall be aired which-

(a) passes derogatory remarks about any religion or sect or community or uses visuals or words contemptuous of religious sects and ethnic groups or which promotes communal and sectarian attitudes or disharmony;

(b) contains anything pornographic, obscene or indecent or is likely to deprave, corrupt or injure the public morality;

(c) contains an abusive comment that, when taken in context, tends to or is likely to expose an individual or a group or class of individuals to hatred or contempt on the basis of race or caste, national, ethnic or linguistic origin, colour or religion or sect, sex, sexual orientation, age or mental or physical disability;

(d) contains anything defamatory or knowingly false;

(e) is likely to encourage and incite violence or contains anything against maintenance of law and order or which promotes anti-national or anti-state attitudes;

(f) contains anything amounting to contempt of court;

(g) contains aspersions against the Judiciary and integrity of the Armed Forces of Pakistan;

(h) maligns or slanders any individual in person or certain groups, segments of social, public and moral life of the country;

(i) is against basic cultural values, morality and good manners;

(j) brings into contempt Pakistan or its people or tends to undermine its integrity or solidarity as an independent and sovereign country;
(k) promotes, aids or abets any offence which is cognizable under the applicable laws;

(1) denigrates men or women through the depiction in any manner of the figure, in such a way as to have the effect of being indecent or derogatory;

(m) denigrates children;
(n) anything which tends to glorify crime or criminals;
(0) contains material which may be detrimental to relations of Pakistan with other countries; or
(p) contains material which is against ideology of Pakistan or Islamic values.

(2) Particular care should be taken to ensure that programmes meant for children do not contain objectionable language or are disrespectful to their parents or elders.

(3) Programmes must not be directed against the sanctity of home, family and marital harmony.

(4) While reporting the proceedings of the Parliament or the Provincial Assemblies, such portion of the proceedings as the Chairman or the Speaker may have ordered to be expunged, shall not be broadcast or distributed and every effort shall be made to release a fair account of the proceedings of the Parliament or the Provincial Assemblies.

Advertisements:-

(1) Advertisements aired or distributed by a broadcast or cable TV station shall be designed in such a manner that it conforms to the laws of the country and is not offensive to morality, decency and religious sects of the people of Pakistan.

(2) No advertisement shall be permitted which-

(a) promotes or supports sedition, anarchy or violence in country;

(b) is against any provisions of the Constitution of Pakistan or any other law for the time being in force;

(c) tends to incite people to crime, cause disorder or violence or breach of law or glorifies violence or obscenity in any way;

(d) glorifies adultery, lustful passions or alcoholic drinks or the non-Islamic values;

(e) distorts historical facts, traditions of Pakistan or the person or personality of a national leader or a state dignitary;

(f) fans racial, sectarian, parochial, regional or class hatred;

(g) promotes social inequality, militates against concepts of human dignity and dignity of labour.

(h) is directed against sanctity or home, family and marriage;

(i) is wholly or mainly of a religious or political nature;

(j) contains references that are likely to lead the public to infer that the product advertised or any of its ingredients has some special property or quality which is incapable of being established;

(k) contains indecent, vulgar, or offensive themes or treatment; or

(1) contains material which is repugnant to ideology of Pakistan or Islamic values.

(3) The goods or services advertised shall not suffer from any defects which are harmful to human health. Misleading claims about the goods shall not be made.

(4) No advertisement which is likely to be seen by children in large numbers should urge children directly to purchase goods of a particular brand or ask their parents to do so.

(5) All advertisements must be clearly distinguishable as such and be separate from the programmes and should not in any manner take the form of news or documentary.

Schedule-B

[See rules 5, 6(2), 8 and 10]

Table-I

Fee for TV station licence

(Fifteen years term)

S.#	Category	Application processing fee (in Rs.)	Base price** (in Rs.)	Annual renewal fee (in Rs.)
(1)	(2)	(3)	(4)	(5)
1.	National scale station	150,000	4,000,000	800,000
2.	Provincial scale station	100,000	3,000,000	600,000
3	Local area or community based station	70,000 for [M]* 25,000 for [G]*	2,500,000 *[M* 1,000,000 [G]*	500,000 300,000

Fee for satellite TV station licence

S.#	Category	Application processing fee (in Rs.)	Licence fee (in Rs.)	Annual renewal fee (in Rs.)
(1)	(2)	(3)	(4)	(5)
1.	News or current	200,000	5,000,000	1,000,000 + 5% of annual gross affairs advertisement revenue as per audited accounts
2.	Sports	200,000	1,500,000	700,000 + 7.5% of annual gross advertisement revenue as per audited accounts
3.	Regional language	200,000	1,000,000	500,000 + 5% of annual gross advertisement revenue as per audited accounts
4.	Health or Agro	200,000	500,000	300,000 + 5% of annual gross advertisement revenue as per audited accounts
5.	Education	200,000	500,000	300,000 + 5% of annual gross advertisement revenue as per audited accounts

6.	Entertainment	200,000	1,500,000	700,000 + 7.5% of annual gross advertisement revenue as per audited accounts
7.	Specialized subject station (non-	25,000	1,000,000	300,000

* M-Metropolitan and G-General.
** Base Price: Provided that for all those cities in which TV licence has previously been issued after bidding, the base price shall be the last paid applicable fee.

Table-II
Fee for radio station licence
(ten years term)

For commercial licence:

S.#	Application processing fee (in Rs.)	Category	Base price** (in Rs.)	Annual renewal fee (in Rs.)
(1)	(2)	(3)	(4)	(5)
1.	100,000	International scale satellite station	1,000,000	400,000
2.	70,000	National scale station	800,000	320,000
3.	30,000	Provincial scale station	500,000	200,000
4.	25,000 for [M]* 10,000 for [G]*	Local area /community based station	400,000 [M]* 100,000[G]*	160,000 70,000

For non-commercial licence:

S.#	Application processing fee (in Rs.)	Category	Licence fee (in Rs.)	Annual renewal fee (in Rs.)
(1)	(2)	(3)	(4)	(5)
1.	10,000	Public universities	100,000	30,000
		Public universities charging high fee like private institutions such as NUST, arid	200,000	60,000
		Private statutory institutions or	200,000	60,000

* M-Metropolitan and G-General.

** Base price: Provided that for all those cities in which radio licence has previously been issued after bidding, the base price shall be the last paid applicable fee.

Table III
Fee for Mobile TV (content provision services) licence
(one year term extendable for four years)

S.#	Application processing fee (in Rs.)	Licence fee (in Rs.)	Annual renewal fee (in Rs.)
(1)	(2)	(3)	(4)
1.	10,000	1,000,000/-	1.5% of annual gross advertisement revenue.

Table-IV
Fee for MMDS/LMDS stations
[Minimum fee for grant of licence for operating an MMDS/LMDS network]*
Local area or community based stations
(ten years term)

Application processing fee: Rs.25,000/- [M]* Rs. 10,000/-[G]*

S.#	Category	Base price** (in Rs.)		Annual fee (in Rs.)
		MMDS	LMDS	
(1)	(2)	(3)	(4)	(5)
1.	"A" category cities	4,000,000	3,000,000	20% of the licence fee
2.	"B" category cities	3,000,000	2,000,000	plus Rs.5/- per subscriber
3.	"C" category cities	2,000,000	1,000,000	

"A" category includes metropolitan cities with population of 1.5 million and above. "B" category includes cities/towns with population of 0.5 million or above but less than 1.5 million

"C" category includes cities/towns with population of less than 0.5 million.

* M-Metropolitan and G-General.

** Base price: Provided that for all those cities in which MMDS or LMDS licence has previously been issued after bidding, the base price shall be the last paid applicable fee.

Table V
Fee for internet protocol television (IPTV)
(channel distribution service) licence
(five years term)

S.#	Licence category	Application processing fee (in Rs.)	Licence fee (in Rs.)	Annual renewal fee
(1)	(2)	(3)	(4)	(5)
1.	Category- A	20,000	1,000,000	30% of licence fee + 5% of annual gross advertisement revenue.
2.	Category- B	20,000	500,000	30% of licence fee + 5% of annual gross advertisement revenue.

ZONAL CATEGORIES FOR IPTV LICENCE

S.No.	Category-A Proposed zones for IPTV licensing	S.No.	Category-B Proposed zones for IPTV licensing
(1)	(2)	(1)	(2)
1	Sindh Zone-I (Karachi)	1	Sindh Zone-II
	Punjab Zone-I (Lahore)		Sindh Zone-Ill
3	Islamabad Zone	3	Punjab Zone-II
4	Punjab Zone-V	4	Punjab Zone-Ill
		5	Punjab Zone-IV
		6	Punjab Zone-VI
		7	NWFP Zone-I
		8	NWFP Zone-II
		9	NWFP Zone-Ill
		10	Baluchistan Zone

Table VI
Fee for cable TV
(five years term)

Application processing fee for Cable TV: Rupees five thousand (Rs.5,000/-).

S.#	Licence category*	Number of subscribers	Licence fee (in Rs.)	Annual renewal fee (Rs. 1/- per subscriber per month to be added) (in Rs.)	Fee for additional head-end (in Rs.)
(1)	**(2)**	(3)	(4)	(5)	(6)
1.	**R**	500	10,000	5,000	
2.	**H**	Upto 25 rooms	15,000	7,500	
3.	**H-l**	Upto 100 rooms	20,000	10,000	
4.	**H-II**	Above 100 rooms	50,000	25,000	
5.	**B**	Upto 500	10,000	10,000	
6.	**B-l**	Upto 1000	60,000	30,000	30,000
7.	**B-2**	Upto 3,000	80,000	40,000	40,000
8.	**B-3**	Upto 5,000	100,000	50,000	50,000
9.	**B-4**	Upto 7000	150,000	75,000	75,000
10.	**B-5**	Upto 10000	175,000	87,500	75,000
11.	**B-6**	Upto 25000	350,000	175,000	75,000
12.	**B-7**	Upto 50000	525,000	262,500	75,000
13.	**B-8**	Upto 100000	875,000	350,000	75,000
14.	**B-9**	Upto 200000	1,400,000	700,000	100,000
15.	**B-10**	Above 200000	1,750,000	875,000	100,000

R: Rural **H: Hotel or motel or hostel or guest houses**
B: Loop holder **B-l to B-10 for cable TV networks in urban areas**
* Subject to area of operation as approved in the licence.

Table VII
Fee for temporary uplinking permission

Category - A: News uplinking (foreign and local news agencies)
(Without carrying advertisements)

S.#	Sub-category	Applicable fee
(1)	(2)	(3)
1.	Short term uplinking	US$ 50/- per day upto 15 days
2.	Long term uplinking	US$ 10,000/-per year

Category-B: Sports TV channel having event rights
(i). Carrying advertisement @ US$ 500/- per day (ii). No advertisement @ US$ 250/- per day **Category-C: Entertainment/news channels @ US $ 250/-** per day.

Category-D: Events like shows/exhibitions/award ceremonies and such like programmes (carrying advertisements) @ US $ 500/- per day.

Table VIII
Fee for DTH TV channel
(ten years term)

Application processing fee: Rs. 100,000/-

S.#	Base price (in Rs.)	Annual Fixed part	renewal (in Rs.) Variable part
(1)	(2)	(3)	(4)
1.	50,000,000	25,000,000	where number of subscribers is upto 100,000: 5% of gross revenue, where number of subscribers is between 100,000 to 500,000: 4% of gross revenue, where number of subscribers is between 500,000 to 1,000,000: 3% of gross revenue, where number of subscribers is over 1,000,000: 2% of gross revenue.

Table IX
In-house channel licence fee
(one year term)
For rural category "R" Rs. 5,000

S.#	Licence category	Category A (in Rs.)	Category B (in Rs.)	Category C (in Rs.)	Category D (in Rs.)
(1)	(2)	(3)	(4)	(5)	(6)
1.	B-l	25,000	20,000	15,000	10,000
2.	B-2	50,000	40,000	30,000	20,000
3.	B-3	75,000	60,000	45,000	30,000
4.	B-4	100,000	80,000	60,000	40,000
5.	B-5	125,000	100,000	75,000	50,000
6.	B-6	150,000	120,000	90,000	60,000
7.	B-7	175,000	140,000	105,000	70,000
8.	B-8	200,000	160,000	120,000	80,000
9.	B-9	222,500	180,000	135,000	90,000
10.	B-10	250,000	200,000	150,000	100,000

Category A-metropolitan cities

Karachi Lahore

Category B cities

Rawalpindi
Multan
Quetta
Hyderabad
Faisalabad
Islamabad
Peshawar
Gujranwala
Bahawalpur

Category C cities

Punjab

Bhawalnagar
Bhakkar
Chakwal
Dera Ghazi Khan
Muzaffargarh
Gujrat
Hafizabad
Jhang
Jhelum
Kasur
Khanewal
Khusab
Rahim Yar Khan
Layyah
Lodhran
Mandi Bahauddin
Mianwali
Narowal
Nankana Sabhib
Okara
Pakpatan
Rajanpur
Attock
Sahiwal
Sarghoda
Sheikhupura
Sialkoat
Tobateksingh
Vehaari

Sindh

Badin
Daadu
Ghotki
Jacobabad
Jamshoro
Kashmore
Khairpur
Larkana
Matiari
Mirpur Khas
Nausheroferoze
Nawabshah Kamber @
Shahdad Kot
Saanghar
Shikarpur
Sukkur
Tando Allah Yar
Tando Muhammad Khan
Tharparkar
Thatta
Umerkot

NWFP

Abbottabad
Bannu
Battagram
Buner
Charsadda
Chitral
Dera Ismail Khan
Hangu
Haripur
Lower Dir
Karrak
Kohat
Kohistan
Lakki Marwat
Malakand
Mansehra
Mardan
Nowshera
Shaangla
Swabi
Swat
Taank
Upper Dir

Balochistan

Awaran
Barkhan
Bolan
Chaghi
Dera Bugti
Gawadar
Jafferabad
Jhal Magsi
Kalat
Kech (Turbut)
Kharan
Khuzdaar
Kohlu
Lasbela
Lora Lai
Mastung
Musa Khel
Naseerabad
Nushki
Panjgur
Pishin.
Qilla Abdullah
Qilla Saifullah
Sibi
Zhob
Ziarat

Category D

All tehsil headquarters and rural towns

Table-X

Criteria and fee for grant of landing rights permission to satellite TV channels
(five years term)

Application processing fee: Rs.200,000/-

s #	**Categories**	**fee (in** Rs.)
(1)	(2)	(3)
1.	Landing rights for news / Permission fee: current affairs satellite TV channels. Annual renewal:	5,000,000 (per channel) 30% of permission fee plus 7% of gross advertisement revenue as per audited accounts.
2.	Landing rights for sports and Permission fee: educational satellite TV channels. Annual renewal:	1,000,000 (per channel) 30% of permission fee plus 5%of gross advertisement revenue as per audited accounts.
3.	Landing rights for regional Permission fee: language satellite TV channels generating advertisements (FTA channel). Permission fee: (encrypted channel) Annual renewal:	1,500,000 (per channel) 1,750,000 (per channel) 30% of permission fee plus 5% of gross advertisement revenue as per audited accounts.
4.	Landing rights for regiona Permission fee: language satellite TV channels not generating advertisements. Annual renewal:	300,000 (per channel)
5.	Landing rights for categoryPermission fee: other than news, curren (FTA Channel) affairs, educational, sports and regional satellite TV channelsPermission fee: not generating advertisements (encrypted channel) Annual renewal:	300,000 (per channel) 700,000 (per channel) 30% of permission fee.

Landing rights fee For Category other than News, Current Affairs, Educational, Sports and Regional Satellite TV Channels Generating Advertisements Revenue.

Sr No	Category	Max limit of Advertise-ment: revenue (yearly)	Fee for landing rights		Annual renewal fee (in Rs.)	Advertisement revenue (in Rs.)
			Encrypted	Free to Air		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	**A**	up to 30,000,000	3,500,000	3,000,000	30% of Landing rights permission fee	5% of gross advertisement revenue as per audited accounts
2	B	above 30,000 to 60,000,000	5,000,000	4,000,000	30% of Landing rights permission fee	5% of gross advertisement revenue as per audited accounts
3	C	above 60,000 to 90,000,000	7,500,000	6,500,000	30% of Landing rights permission fee	5% of gross advertisement revenue as per audited accounts
3	D	above 90,000,000 to 100,000,000	12,500,000	11,500,000	30% of Landing rights permission fee	5% of gross advertisement revenue as per audited accounts

Explanations:-

1. All future landing rights, including those whose applications are presently under process shall be subject to new criteria. Existing permission holders may however pay the annual renewal fee at the existing rate till the expiry of their permission period.

2. In case a permission holder qualifies for a satellite TV licence and is desirous of establishing a satellite TV channel in Pakistan, he will have to apply afresh, provided that other conditions for issuance of satellite TV license are also fulfilled. In order to provide incentive to establish satellite TV stations in the country full adjustment of the landing rights fee will be made against the satellite TV licence fee in case the landing rights holder sets up a satellite TV station within 02 years of obtaining the landing

rights permission. After 02 years the adjustment will be made for the remaining period on pro-rata basis.

3. 15% of final fee for landing rights will be payable alongwith the application. In case of acceptance of the application, the balance payment will be made as per schedule notified by the Authority. If the application is rejected the above 15% up-front fee will be refundable however, in case of failure on the part of applicant the same will be forfeited

4. In case of applicant, whose channel is not yet aired in Pakistan and no advertising revenue is generated at the time of submission of application, whether directly or indirectly, and falls in the category of other channels generating advertisements, Category "A" of the respective schedule will be applicable in the first instance.

5. For the purpose of determining advertisement revenue of the applicant, audited accounts for the last three years (where applicable) will be required alongwith the application

6. For calculation purposes "gross revenue" means the revenue earned by the channel from the advertisements.

7. In case the advertisement revenue exceeds the maximum the slab (D) in landing rights fee for other channels generating advertisements, ten percent of the amount in excess, shall also be payable additionally.

Table-XI
Subscriber fee for cable TV

s #	Description of fee	Fee (in Rs.)
(1)	(2)	(3)
1.	Installation/connection charges	upto 1,000/-
2.	Monthly subscription fee (for digital TV)	upto 550/-
3.	Monthly subscription fee (for analogue TV)	upto 400/-

Security deposit

Each successful applicant shall, before issuance of the licence, make a security deposit equivalent to ten percent of the applicable licence fee in addition to the applicable licence fee. The security shall be refundable after expiry of one year of operation of the station to the satisfaction of the Authority.

Schedule-C
[See rule 9(2)]

General terms and conditions of licence

(1) A licensee shall not commit an act or ommission that is likely to harm the legitimate interest of other licensees.

(2) The licensee shall not discriminate against any subscriber in offering the service.

(3) The licensee shall ensure that the media broadcast or cable TV services provided by him are not interrupted suddenly except due to the failure of the equipment or circumstances beyond his control;

(4) The licensee shall abide by the quality standards in transmission level, noise modulation, frequency drift and voltage levels as set by the Authority or approved subsequently, from time to time.

(5) The licensee shall ensure that the broadcast installations or the cable lines do not become a security or traffic hazard, a nuisance for the life and property of the public or opposed to the environmental standards.

(6) The licensee shall be responsible to obtain necessary permission from the municipal authorities or utility companies and abide by their terms and conditions and other relevant regulations while installing the broadcasting equipment or laying the cables.

(7) The licensee shall not stop, cease or suspend the broadcasts or distribution of programmes except on account of causes or circumstances beyond the reasonable control of licensee or with the prior approval of the Authority and without a clear notice of at least thirty days to the Authority and the target viewers, listeners or subscribers.

(8) The licensee shall make and maintain standby power supply arrangements to minimize power interruptions or breakdowns.

(9) The licensee shall broadcast public service programmes, which may be provided by the Authority or by the Government.

(10) The licensee shall be responsible for ensuring that the copyright obligations with respect to the programmes being aired or distributed are fulfilled.

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